

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANDREW KRAMER,
Plaintiff,
v.
PACHYINSKI,
Defendant.

Case No. [22-cv-03803-WHO](#) (PR)

**ORDER REQUIRING PLAINTIFF
TO RESPOND TO THIS ORDER BY
DECEMBER 5, 2023**

Plaintiff Kramer must file a response to this Order on or before **December 5, 2023**.


Defendant Pachyinski, the sole defendant in this federal civil rights action, has filed a motion for summary judgment. (Dkt. No. 19.) Kramer has filed a waiver of opposition, in which he states that the “waiver pertains to Defendant Pachynski [*sic*] only. All other Defendants’ [*sic*] are not included in the voluntary waiver.” (Kramer’s Waiver, Dkt. No. 20 at 2.) However, there are no other defendants. I dismissed all defendants but Pachyinski in the Order of Service. (Dkt. No. 11 at 1.) In light of this, Kramer may wish to withdraw his waiver and file an opposition. If he does not, his waiver will be enforced, defendant’s motion will be deemed unopposed, and if defendant’s motion is successful, judgment will be entered in defendant’s favor and the suit closed.

On or before **December 5, 2023**, Kramer must file a written response to this Order in which he informs the Court of his decision whether to (i) maintain his waiver; or (ii)

1 withdraw his waiver and file an opposition. If he chooses Option (ii), I will set a filing
2 deadline for the opposition and for defendant's reply. If Kramer does not file a response to
3 this Order by December 5, 2023, I will deem him to have waived his right to file an
4 opposition and regard defendant's summary judgment as unopposed.

5 **IT IS SO ORDERED.**

6 **Dated:** October 31, 2023

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8 WILLIAM H. ORRICK
United States District Judge

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